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Commissioner for Patents
PO Box 1450
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Art Unit 1614
Mail Stop: Amendment

Re: U.S. Utility Patent Application
Application No. 10/748,853; Filed: December 30, 2003
For: **Complex Cationic Lipids Having Quaternary Nitrogens Therein**
Inventor: Carl J. WHEELER
Our Ref: 1530.0260002

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply to Restriction Requirement (4 pp.); and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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MJD/bls
Enclosures

518474_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carl J. WHEELER

Appl. No.: 10/748,853

Filed: December 30, 2003

For: **Complex Cationic Lipids Having
Quaternary Nitrogens Therein**

Confirmation No.: 6433

Art Unit: 1614

Examiner: Graffeo, Michel

Atty. Docket: 1530.0260002

Reply to Restriction Requirement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated March 16, 2006, requesting an election of one invention to prosecute in the above-referenced patent application, Applicant hereby provisionally elects to prosecute the invention of Group I, represented by claims 64-70 and 83-86. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

Applicant also provisionally elects the following species for initial search: DMRIE carboxylate propyl amide. This species is exemplified in Example 3. Claims 64 and 71 read on the elected species. With respect to this species, the variable groups of claim 64 are as follows: R_1 and R_2 are $\text{CH}_3(\text{CH}_2)_{12}\text{C}(\text{O})-$; R_3 and R_4 are CH_3 ; R_6 is propyl; Z is NR_1 , wherein R_1 is H; and n and m are 1. The variable groups of claim 71 are as follows: R_1 and R_2 are $\text{CH}_3(\text{CH}_2)_{12}\text{C}(\text{O})-$; R_3 and R_4 are CH_3 ; R_7 is H; R_8 is propyl; and n and m are 1.